JULY-AUGUST 1955

THE COURTS STRIKE AT SEGREGATION

COMMUNITIES LOOK TO FUTURE

CHATTANOOGA STATEMENT

NEWSPAPER COMMENT

FLORENCE EDITORIAL

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New South NOTES

Many significant events have occurred since the implementation ruling of the Supreme Court on May 31, 1955. Included in these events are five important rulings of Federal district courts and a host of encouraging statements from communities in the South.

In this issue, NEW SOUTH presents significant portions of the five legal rulings and summarizes the encouraging aspects of community progress in regard to the May 31 ruling. It is now clear that there no longer exists legal status for segregation in public facilities. The problem now only involves procedures for community adjustment to the ruling.

NEW SOUTH also presents encouraging statements from some state leaders and from newspaper editors throughout the South. Good results from communities endeavoring to solve their problems will give encouragement to other community leaders who previously have been reluctant to begin steps toward desegregation. NEW SOUTH readers can help distribute news of encouraging events occurring in other communities.

In subsequent editions of NEW SOUTH, specific local communities will be appraised and evaluated. Procedures of communities seeking good faith compliance will be published as examples for other communities seeking knowledge of ways and means to solve their problems.

One of the biggest encouragements in promoting respect for law and order is the knowledge that your next-door neighbor shares that respect.

Contributions to the Southern Regional Council are tax-exempt.

Five Court Rulings Strike at Segregation

FIVE significant court rulings, striking at segregation, have been handed down since the May 31, 1955, Supreme Court ruling. And all of the rulings follow closely the May 17, 1954, edict of the High Court.

Texts of the five decisions reveal that Federal district judges are following the "letter of the law" as interpreted by the Supreme Court. These lower court rulings also will encourage other judges to render decisions in keeping with the May 17 ruling.

The five important decisions and significant portions of their texts are:

Judge H. H. Grooms, judge of the Northern District of Alabama, on July 1, 1955, ruled that the University of Alabama must not bar two Negro applicants because of their race or color.

And Judge Groom significantly ruled that the action was properly a "class action," and consequently he ordered that the university be restrained from denying, not only the plaintiffs, but others similarly situated, the right to enroll at the school "solely on account of their race and color." This ruling, although an appeal is pending, opens the way for any qualified citizen to enroll at the university.

On July 7, Judge Walter E. Hoffman ruled that the State of Virginia cannot deny Negroes the use of Seashore State Park.

In the ruling, Judge Hoffman stated, "This opinion follows the law as set forth in all decided cases touching on the subject matter." The judge added that "the contention that a normal lessor-lessee relationship should be permitted in leases of public property must give way to the constitutional rights of the citizens as a whole." Thus, the judge blasted the barring of citizens because of race from state property even though it may be leased to private ownership.

In Richmond, Va., the Fourth Circuit Court of Appeals reversed an earlier decision of a Federal district judge and struck down segregation on the city buses in Columbia, S. C.

In its decision, the court ruled that "we do not think the separate but equal

"With Deliberate Speed . . ."

Text of Clarendon County Ruling

This cause coming on to be heard on the motion of plaintiffs for a judgment and decree in accordance with the mandate of the Supreme Court, and the Court having carefully considered the decision of the Supreme Court, the arguments of counsel, and the record heretofore made in this cause:

It is ordered that the decree heretofore entered by this Court be set aside and, in accordance with the decision and mandate of the Supreme Court, it is ordered, adjudged and decreed that the provision of the Constitution and laws of the State of South Carolina requiring segregation of the races in public schools are null and void because violative of the 14th Amendment to the Constitution of the United States, and that the defendants be and they are hereby restrained and enjoined from refusing on account of race to admit to any school under their supervision any child qualified to enter such school, from and after such time as they may have made the necessary arrangements for admission of children to such school on a non-discriminatory basis with all deliberate speed as required by the decision of the Supreme Court in this cause.

It is further ordered that this cause be retained on the docket for the entry of further orders herein if necessity for same should arise.

doctrine of *Plessy* v. *Ferguson* . . . can any longer be regarded as a correct statement of the law. The case recognizes segregation of the races by common carriers as being governed by the same principles as segregation in the public schools; and the recent decisions . . . which relate to public schools, leave no doubt that the separate but equal doctrine approved in *Plessy* v. *Ferguson* has been repudiated. That the principle applied in the school cases should be applied in cases involving transportation appears quite clearly from the recent case of *Henderson* v. *United States* . . . where segregation in dining cars was held violative of a section of the interstate commerce act providing against discrimination."

In repudiation of those who would use police powers in enforcing segregation, the court said, "The argument that such segregation can be upheld as a proper exercise of the state police power was answered in the case of *Dawson* v. *Mayor and City Council of Baltimore City* . . . where with respect to segregation in recreational centers, we said:

'It is obvious that racial segregation in recreational activities can not be sustained as a proper exercise of the police power of the State; for if that power cannot be invoked to sustain racial segregation in the schools, where attendance is compulsory and racial friction may be apprehended from the enforced commingling of the races, it cannot be sustained with respect to public beach and bathhouse facilities, the use of which is entirely optional'."

On July 15, 1955, three federal judges, John J. Parker, Armistead

(*Continued on page* 12)

Communities Look to the Future

POSITIVE reaction to the Supreme Court ruling on desegregating schools continues to grow. And significantly, those communities seeking to comply with the Court ruling are mostly in states whose officials have either taken positive stands or have given local communities a free hand in determining the future of the schools.

Although resistance by state officials increased in several instances, communities in Arkansas, Texas, Oklahoma, North Carolina, and Kentucky, have initiated programs leading toward compliance with the ruling. And in Virginia, despite an attempt by state officials to block desegregation, at least two school boards have announced a desire to obey the law of the land. The two Virginia boards which have taken positive stands are Norfolk and Williamsburg.

Time Assured

Communities formulating plans for integration in good faith have little to fear from the future. Such communities have been assured time to work out local problems. They do not face a long period of litigation, and they can look forward to the time when community schools will be operated in a manner beneficial to all citizens. On the other hand, the only future for communities refusing to face reality is one of costly litigation which ultimately must end either in compliance or in the destruction of the public school system. And, according to the best legal opinion, this not only will mean the destruction of the school system as we know it; but the elimination of any public or so-called private system which in any way is supported through public funds.

Penalized

Clearly then, communities in Georgia, Alabama, Mississippi, Louisiana, South Carolina, and Virginia, are being penalized by state laws and officials. Georgia officials especially have made it extremely difficult for local community leaders to assume responsibility that is theirs. The State Legislature of Georgia previously passed legislation making it a felony for any school official of the state or of any municipal or county system to spend money for public schools in which the races are mixed. Added to that, a ruling by the Georgia

Board of Education automatically revokes "forever" the license of any school teacher who "supports, encourages, condones or agrees to teach mixed grades." The board, in its ruling, threatens the livelihood of any teacher who supports the law of the land. In addition, Georgia's attorney general, Eugene Cook, went a step farther and asked that any teacher who "contributes to or is affiliated with" the NAACP be discharged; and board Chairman George P. Whitman, Jr., said he would be glad to get the board to adopt such a ruling. On August 1, the board bowed to Mr. Cook's wishes and adopted the ruling. Now, unless local communities contest the state ruling, they must expend large amounts of energy and money in vain legal defense of segregation — money which might well be spent on the 1,000 extra classrooms Chairman Whitman says the state will need each year.

Despite such actions, a pattern of interracial committees to study good faith compliance is emerging throughout the South. The committees are the result of farsighted and honest state and local leaders. The committees will be able to study all problems relative to the school integration problem and choose the best courses available.

Policy Statements

Clear policy statements by state leaders will make it easier for these communities to solve their problems. Such statements have been issued by a few leaders. In Florida, State Superintendent of Schools Thomas D. Bailey has suggested local biracial committees, and both the Texas and the Kentucky state boards of education have made encouraging statements to communities wishing to comply with the ruling. In Kentucky, the Board of Education urged local school authorities to begin integration as soon as possible. The board also advised district superintendents to appoint desegregation study groups. In Texas, the state board indicated that any school wishing to desegregate will continue to receive state funds, and directed Education Commissioner J. W. Edgar to provide "consultant services available, upon request, to county and local school officials."

Some Southern newspapers, through their editorials, also are encouraging action on the community level. The Winston-Salem and Forsyth County, N. C., school boards set up biracial advisory groups as urged by the *Winston-Salem Journal* and the *Twin City Sentinel*. The biracial groups were established following an editorial in the *Sentinel* which treated with skepticism an earlier plan to wait for state action. The Charlotte, N. C., *Observer;* the Asheville, N. C., *Citizen;* and the Chattanooga, Tenn., *Daily Times*, through foresighted editorials, undoubtedly encouraged school boards in their cities to adopt statements indicating intent to comply.

For proof that state and community leadership can free people from old prejudices and enable them to plan positive programs, one only has to look at the growing list of communities in the South which now are tackling the desegregation problem. Since the May 31, 1955, ruling, the number of communities with integrated classrooms has grown to eight. At least seventeen communities now plan to open schools on a desegregated basis in the fall of this year, and two communities will comply with the ruling in 1956. Added to this, fifteen school boards have indicated a

FARSIGHTED COMMUNITIES

The list of communities complying or indicating intent to comply with the Supreme Court decision outlawing segregation in the schools is increasing daily. A partial list of these farsighted communities is presented below. Names of additional communities seeking to comply with the ruling will be published as information becomes available. Communities listed in the category indicating intent to comply include communities with a clear statement of intent and/or those communities which have established biracial committees to study problems involved in desegregation.

DESEGREGATED SCHOOLS

Charleston, Arkansas; Fayetteville, Arkansas; Hoxie, Arkansas; Lafayette County, Kentucky (for summer session only); Wayne County, Kentucky; Lula, Oklahoma; Reno, Oklahoma; and Friona, Texas.

COMMUNITIES INDICATING COMPLIANCE IN FALL, 1955

Biggers-Reyno School District, Arkansas; Bartlesville, Oklahoma; Hobart, Oklahoma; Lawton, Oklahoma; Sapulpa, Oklahoma; Oak Ridge, Tennessee; Brownwood, Texas; Corpus Christi, Texas; Eagle Mountain, Texas; El Paso, Texas; Harlingen, Texas; Kerrville, Texas; Mission, Texas; San Antonio, Texas; San Angelo, Texas; and Weslaco, Texas.

COMMUNITIES INDICATING COMPLIANCE IN FALL, 1956

Daviess County, Kentucky; and Louisville, Kentucky.

COMMUNITIES INDICATING INTENT TO COMPLY

Hot Springs, Arkansas; North Little Rock, Arkansas; Asheville, North Carolina; Charlotte, North Carolina; Forsyth County, North Carolina; Moore County, North Carolina; Seminole, Oklahoma; Tulsa, Oklahoma; Chattanooga, Tennessee; Davidson County, Tennessee; Nashville, Tennessee; Austin, Texas; Houston, Texas; Norfolk, Virginia; and Williamsburg, Virginia.

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general intent to comply with the ruling, and most of them are formulating plans to do so.

Clearly, communities, such as Chattanooga, Tenn., which are seeking to comply with the law are on the right track. The Chattanooga *Daily Times* neatly summarized the situation in an editorial, stating, in part:

"We hope that all citizens will carefully read the fine statement issued by this excellent board. It could be a model for the entire South. . . .

"The Chattanooga Board is taking time to study each school and its peculiar situation. It prays for sincere cooperation of all the citizens, knowing that 'the thoughtless action of a few could well present situations filled with danger.'

"The Board of Education will work the situation out with the aid of the citizens. We applaud its wise decision."

"IT IS OUR CLEAR DUTY . . ."

Following is the full statement of the Chattanooga board of education on integration of Negro and white pupils in the classroom:

The Chattanooga board of education will comply with the decision of the United States Supreme Court on the matter of integration in the public schools.

We have come to this decision after careful deliberation, believing that respect for the law of the land is essentially vital to each and every individual and to the welfare and happiness of us all.

The Supreme Court decision does not require immediate and complete integration. Your school board does not contemplate any immediate change in the operation of our schools.

The Supreme Court, in its decision of May 31, 1955, places the responsibility for solving this problem on the school board. It requires that we act in "good faith," that we make a "prompt and reasonable start," and that we comply at the "earliest practicable date." The decision likewise recognizes the need for "practical flexibility" in solving this situation.

The Supreme Court wisely directed the various boards of education to examine their individual local situations before making any final decision. Consequently, your school board does not plan to integrate our schools by September, 1955. Hasty action might do more harm than good. The Supreme Court's decree recognized this fact.

Your school board has a responsibility to the entire community, and we will do all we possibly can to discharge this responsibility fairly and justly to the citizens of our community.

We do not know what the answers may be. We will counsel with the people of our community, seeking their advice and opinions in an atmosphere of earnest and calm deliberation, hoping that as each decision is made, and as each step is taken, the community will accept our decisions and abide by them even though such decisions may be difficult for some to accept. Within the limits of human endurance and considering the many other demands upon the time of the members of your school board, we will proceed as rapidly as possible to set up a plan to secure the widest possible participation of all of our citizens in finding the answers to this problem that will be fair and just to each and every member of our community. The board will appoint a continuing interracial advisory committee and provide opportunities for other groups of citizens to present their points of view and proposals for consideration. As we think, plan and discuss together, we will grow as a community in understanding and this process will produce ideas for action reflecting the combined wisdom

of the community.

The Supreme Court of the United States has declared that "racial discrimination in public education is unconstitutional." It is our clear duty to comply with the ruling. Why? Because we are citizens of the United States of America. As American citizens we have been blessed with benefits far beyond those of any other people since the beginning of time. Being so blessed it is the obligation of every American citizen to uphold the Constitution of the United States — the very foundation of our way of life. We believe that law in its broad meaning protects, defends, and benefits each and every human being in this land of ours. Without law, and without respect for law, and the willingness to comply with law, our society could easily return to the jungle where the only deciding factor in the relationship of one human being with another becomes solely a question of brute force. The ideal of justice which pervades our way of life would then be lost, and the weak, whether physically weak or otherwise, would have no protection from those who are stronger than they.

Respect for the law and acceptance of the law is truly involved in the matter of compliance with the Supreme Court's decision. Should we have said that we would not comply with the decision, we would have been saying that each man is the sole judge of what laws he shall obey. If each man should become the sole judge of his actions, then the stabilizing influence of the law would be weakened and gradually fade away. We will not be a party to what is an attack upon the very foundation of our way of life, and all that it has meant and all that it will mean to the welfare and happiness of all of us. We believe that this vital point is necessarily a part of our education.

As we seek a solution we will make every effort to acquaint the entire community in conferences and through other media of communication of the varied aspects involved. This is not your board's decision alone. It is a community decision. Although the board will officially make the decision, each individual in our community must accept his responsibility in solving this question.

Our decision will have its influence and impact upon every phase of our community life. It is of the utmost importance that the great majority of the people accept our decision when finally made. This will be difficult for some — we fully realize this. The thoughtless action of a few could well present situations filled with danger. We know the community hopes and prays that such can be avoided. We know our people will make every effort to see that such is avoided.

It has taken more than 75 years to bring our public school system to its present degree of service to the children and the community. It is of the utmost importance that the public school system continue to make progress. It is important that we proceed to a solution of this problem in such a manner that the strength of the public school system is not weakened. In this endeavor we must always be mindful of each and every family, and ever protect the rights of all citizens.

We earnestly request and hope that the community will proceed in its thinking and its actions in a spirit guided by a sense of justice, respect for the law, awareness of the difficulties involved and guided by recognition of the necessity of reaching a fair and just solution. With God's help, this can be accomplished.

EDITORIAL COMMENT

Newspapers and the School Decision

Charlotte, N. C., *Observer*

The law, as we see it, is clear. The forcible segregation of races in the public school is now prohibited. . . . How the order will be met is a local responsibility. In some communities, voluntary desegregation will be accomplished with little confusion. In others, voluntary segregation may supplant the compulsory type. Official resistance, through evasion or otherwise, can only result in law suits to compel compliance. In any event, each community should draw its plan for a course of action. The time is too late for emotional debate.

Norfolk, Va., *Journal and Guide*

Despite the solid front of Virginia *officialdom* against compliance with the highest court's decision and implementing decrees, the Norfolk (Va.) board formally asserts:

"We intend without mental reservation, to uphold and abide by the laws of the land."

That is a simple, statesmanlike, democratic, and sensible declaration.

It says in just fifteen words what anyone has to say who pretends to fulfill his citizenship duties as an American citizen.

San Antonio, Texas, *Express*

. . . All in all, those (district) judges are a group of citizens of ability, integrity and moral courage. They will enforce the orders of the nation's highest court to the letter, without fear of or favor to local politicians or rabble rousers of any category. . . .

Then why not, in the name of common sense, get down now — right away — to the integration task, and quit the silliness of attempting to invoke state laws or local regulations to the contrary which are now as though they never have been? . . .

The only issue properly before the citizens of communities maintaining separate schools for white and Negro pupils is to "keep the law in calmness made" — and to keep it in calmness. . . .

For economic considerations, as well as those of justice and decency, dictate that local school authorities fritter away no further time in devising schemes to thwart, or even unduly delay, the integration process. . . .

The federal courts are going to see to it that the Constitution and laws of the nation are upheld in Texas, as in every state in the Union, and its people, as citizens of the United States, are minded to see that the law is upheld here. It should be done calmly, reasonably, sensibly — but upheld it shall be.

Birmingham, Ala., *News*

In essence, the Supreme Court's decision on public school segregation held that students must not be barred from school on racial grounds. Any plan for dealing with the problems growing out of the decision, if it is to be sound, must take adequate account of that sound, basic fact.

Raleigh, N. C., *News and Observer*

. . . Anyone who gives fuel to the fires of extremities at this time does no private or official or mixed service to the people who are trying to work out reasonable solutions to difficult problems. . . .

There may be those who agree with (a) program which would result in the destruction of the public school system in North Carolina. Most citizens, however, will look to school leadership for school plans. No citizens of North Carolina should be confused by a private campaign by a public official which disregards the care, the caution and the considered good sense which North Carolina officialdom in its official capacity has been applying to this problem. It is one which involves the long standing good relations of all people of both races in North Carolina. And no official has any greater private or public duty than to work to maintain those good relations while efforts to secure a good solution go forward.

Columbus, Ga., *Ledger-Enquirer*

It is time to speak out against some of the pusillanimous and dangerous foolishness to which the public now is being submitted by Atty. Gen. Eugene Cook and the Georgia Board of Education. . . .

As an attorney, Mr. Cook surely is familiar with the democratic judicial concept of freedom even for the thought that is hated in the United States, and as an education administrator Mr. Whitman (chairman of the board) must place some value on liberty of thought, else he is grotesquely misplaced.

Whether one likes the aims and objectives of the National Association for the Advancement of Colored People is of no moment here. It is a legitimate organization. It is not subversive or illegal grouping. Before the law and the Constitution it suffers no lower status and is denied rights of being no more than the Rotary Club or the National Association of Manufacturers.

If the Attorney-General of any State can seduce — of all organizations — a State Board of Education to limit the affiliation of teachers with any legitimate or legal organization, woe to the people of the state. Such a precedent warns the public that there could be a penalty against joining or contributing to any group.

As for a penalty of dismissal against any teacher who might be "in sympathy" with the purposes of a legitimate organization, in this case the NAACP, this is such a broad and indefinitely described transgression as to make even thinking dangerous. It could include any teacher who is a Democrat or a Republican, since both parties for years have carried platform planks similar to NAACP purposes.

It could include teachers who are Presbyterians, since the 67th General Assembly of the Presbyterian Church in the United States has voted in favor of desegregating the public schools, which surely was a move "sympathetic" to the NAACP. It could include Baptists, in view of the Southern Baptist Convention resolution in St. Louis last year, and members of other denominations. . . .

The situation is one calling for more common sense than now is being demonstrated, and . . . it is a duty and the personal responsibility of right-thinking citizens, in their own defense to protest to the Attorney General and the State Board of Education this rape of constitutionality and democracy.

Tampa, Fla., *Morning Tribune*

Southern states, including Florida, can take any legal measures they wish to

avoid integrated schools. They can even abolish their public school systems and subsidize public school systems instead. That is their privilege. If, however, the South permits its segregated schoolhouses to be spotted with the blood of mob victims, the stains will remain to shame generations of Southerners yet unborn. We like to think of Florida as one of the more enlightened states, not only in the South but in the entire nation. As such, its people should condemn every act of racial abuse . . . and its elected officials should be vigilant in seeing that justice is done.

Florence, S. C., *Morning News*

. . . It is also to be noted that the National Association for the Advancement of Colored People declared their intention to cooperate with school authorities — not to press them with needless legal action, so long as they could see action toward desegregation. The alternative is clear — constant legal harassment of public school authorities who don't act.

These are the facts, plain for all to see. And closing our eyes to them won't make them go away.

The sands of time are fast running out for segregated school systems supported by public funds.

Winston-Salem, N. C., *Journal*

. . . The question whether a district or a county is to have segregated or integrated schools is largely a problem to be worked out cooperatively between the white and Negro leaders and citizens of each district or county. In some areas population ratios and other circumstances probably will make the problem rather easy to solve. In others the solutions will be more difficult. But in due time satisfactory adjustments can be made everywhere if a reasonable, cooperative spirit prevails on both sides.

Norfolk, Va., *Journal and Guide*

The Fourth Circuit Court of Appeals decided recently that segregation on local buses is unconstitutional. The Circuit Court followed closely the U. S. Supreme Court ruling in the school cases. . . .

The day after . . . subordinate bus officials in Norfolk, Newport News and one or two other Virginia cities stated that no serious problem was involved because the companies had practically abandoned the enforcement of jim crow state laws on bus segregation.

In another few days, however, all of this was changed. There came out in the papers formal statements to the effect that until the law in Virginia was repealed by the state legislature, or declared unconstitutional by the "Supreme Court of Virginia," or by the Supreme Court of the United States, the bus segregation laws would be enforced in all intrastate transportation.

The apparent willingness on the part of the bus company management to let jim crow on buses expire, was quickly checked by the unseen but well known powers who said: "We will not retreat one inch until a court in a case carried up from our city compels us to do so."

There we have a lack of moral consciousness that is amazing.

"WE CAN'T WIN"

An Editorial from the Florence, S. C. Morning News

SHORTLY after the United States Supreme Court handed down its implementation decree, this newspaper expressed the editorial opinion that in the final analysis the South will have to yield.

An editorial entitled "Segregation Going," in this paper said:

"In our section there can be little thought of bending to the will of the NAACP — but we had better evaluate our probable losses and see how they compare to the limited gains in time.

"Any changes we make in our programs of education should be made in full acceptance of the fact that the South cannot maintain its policies of racial segregation for any length of time into the future."

Since the Court's publication of its implementation decree, the Southland has been feeding itself large doses of self-delusion and false hope. Politicians, writers, wishful-thinkers and the unthinking have been telling our people that the Court's decree can be defeated and will be defeated.

The Court's decree will not be defeated.

South Carolina people need to hear realism. They need to hear truth. They need to prepare themselves for a realistic future — not an impossible future constructed out of the words and blind hopes of those who have not accepted the inevitable. . . .

This state's leaders are on the verge of destroying the public school system. Or, they say they are on the verge of so doing. We don't think they will.

Sure they will abolish a few public schools — in Clarendon County for example — but such actions will be an effort to gain time. . . .

Some of our political "thinkers" are advocating Constitutional changes to allow the South to keep segregation. This isn't thinking, it is political eyewash. The editorial mentioned earlier expressed an opinion we think holds true now — and for the future; the opinion that "The South is a minority section and will receive less than minority consideration."

Southern senators cannot get legislation through Congress in support of segregation; nor can the South expect the necessary support to pass a Constitutional amendment in support of its position. . . .

This is the age of sociological change. We don't like it. We don't want it. But, we can't stop it. How can we hope to preserve sectional institutions that are not legal in approximately three fourths of the nation? . . .

We, as a section, expect great favor and comfort from our Federal judges. Those who encourage this hope for favor and comfort are fooling the people.

Pro-segregationists cannot look to Ashton Williams, Cecil Wyche and George Bell Timmerman for special favor. Those men are judges. They have taken an oath to uphold the law of the

land. The Supreme Court has defined this law, and these men will uphold the law. . . .

The Court has decided, and the Court will not change. This is not a period of going back. Initial mistakes in the field of sociology are not corrected by court reversals.

South Carolina can't spend its historic life in fighting lost battles. In order to make progress and shape the best possible life for our people, we must learn to accept the things we don't want as well as those we do want. We must learn to accept things we don't want when we lack the ability to change those things.

We cannot change the Court's decision. We have got to live with it. We can start living with it today, tomorrow or next year — but we are going to live with it.

This should be told to the people of South Carolina. The only decision facing our people is how much energy, effort and expense they want to exchange for a limited amount of time.

The only thing that can be gained is a short time — what price is our section willing to pay for a short time? This is the issue. Segregation vs. desegregation is no longer an issue — it is no longer a debate — it is no longer a contest. The issue has been resolved. There is to be no more segregation.

Face it. Ask state officials to be honest. Then, move as close to objectivity as is possible when facing an emotional issue, and ask yourself what price you and your children want to pay for a short period of time.

There is nothing "cowardly" about stopping a fight when you've been beaten — hands down. It is a little insane to waste your institutions, resources, progress and possible future after you have lost the fight.

Segregation is going — it's all but gone. South Carolina and the rest of the South can't reverse the trend.

We can fight — and will fight; but let's be honest with ourselves and ask how hard we want to fight when we know we can't win.

Court Rulings

(*Continued from page 2*)

Dobie, and George Bell Timmerman, enjoined Clarendon County, S. C., school officials from "refusing on account of race to admit to any school under their supervision any child qualified to enter such a school."

A significant portion of the decree is the one which ruled that the "provision of the Constitution and laws of the State of South Carolina requiring segregation of the races in public schools are null and void because violative of the 14th Amendment of the Constitution of the United States."

True, the court failed to set a specific deadline for desegregation, but the judges did order the defendants to make the necessary arrangements for admission of children on a non-discriminatory basis "with all deliberate speed." The court also retained the case on the docket; and the defendants can be asked. at any time, to show progress made toward desegregation.

In a ruling similar to the one on Clarendon County, a three-judge Federal tribunal in Richmond, Va., ordered Prince Edward County, Va., to proceed with desegregation of its schools "with deliberate" speed.

The court also declared a section of the Virginia Constitution requiring segregation "in violation of the 14th Amendment."

Other court rulings striking down segregation undoubtedly will follow. As to actual results of these court cases, only time will tell. The one apparent fact now is that segregation in public facilities can no longer be legally condoned.

. . . Unquote

Noteworthy quotes from the press and periodicals

"At the White Citizens Council rally in Selma . . . a Mississippi circuit judge, Tom Brady, evidently a man without an intellectual problem in his head, urged impeachment of the nine members of the United States Supreme Court and, thereafter, the election of justices rather than appointment. . . . But what would be the circumstance if the justices were undergoing impeachment proceedings, or if they were on the stump campaigning for election? Obviously the justices would be quickly vindicated in the first instance and would sweep in the second instance. . . . The truth is, we Southerners and our latterday 'peculiar institution' of segregation are compressed into a fortress whose perimeter is shrinking along the Border States, with defections within such states as Tennessee. Further, the feeling in North Alabama is mild compared with that in South Alabama. . . ." — From an editorial in the Montgomery, Alabama, *Advertiser.*

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"There is no equality as long as any segment of our population is required to pay for the right to vote. We have violated the Constitution by denying men the right to hold office due to color and creed. We enjoy freedom of speech — yet sometimes it appears in moments of hysteria that 165,000,000 people are afraid to exercise that right." — Senator Alben W. Barkley of Kentucky.

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"We must not rely on law to get basic rights, but this job has already been done. The job of implementation is now among us, person to person, where inner law and sensitivity to human values operate. The world will not let us delay action; our country won't, and our souls won't. The very act of doing this challenging job is going to make the South rise above so much that has been small in its experience; it will be a bigger and much more wonderful place. This is a time for union of the best statesmanship of the Southern Region and of the Nation in building mutual tolerance and respect and an acceptable way of life compatible with the principles reaffirmed and made final by the Court. A law which is widely disobeyed or openly flouted may not only retard the principle involved, but may engender a contempt and disregard for the institutions of government itself." — Charles S. Johnson, President of Fisk University.

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"But regardless of how we feel about this unfortunate and untimely decision, we must recognize it now as a part of the supreme law of the land." — Governor Allan Shivers of Texas.

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". . . I have always assumed that every person is entitled to his own opinion, but if newspaper reports are correct, and if it is true that the State (Georgia) Board of Education threatens to penalize any teacher who complies with or supports or condones compliance with a unanimous decision of the Supreme Court of the United States, it is time that those citizens of this state who love democracy, love America, or love Georgia, show some real concern lest we be drawn unconsciously into the grave consequences of rebellion . . . we are being treated to an effort to bring about state control of thought, opinion and expression that lines up with Nazi Germany or Communist Russia." — The Rt. Rev. Randolph R. Claiborne, Jr., Bishop, Episcopal Diocese of Atlanta.